REMARKS

Reconsideration and allowance of the above-identified application is respectfully requested. Claims 1 - 18 remain pending.

The Examiner has rejected claims 1, 4 - 6, 11, 12, 14 - 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 3,535,591 to Holmquest in view of U.S. Patent 5,224,010 to Tran et al. (hereinafter Tran). Claims 8 - 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Holmquest in view of Tran and further in view of U.S. Patent 5,642,052 to Earle. Claims 2 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Holmquest in view of Tran and further in view of the Court Decision In re Aller, 105 USPQ 233. Claims 3 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Holmquest in view of Tran and further in view of the Court Decision In re Bosch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Applicant respectfully submits that the Holmquest patent, the Tran patent and the Earle patent do not teach or suggest the claimed invention for the reasons discussed below. Accordingly, the Examiner is requested to withdraw the above-mentioned grounds for rejecting the claims.

Specifically, the Applicant respectfully submits that the Holmquest patent and the Tran patent fail to teach or suggest the use of "A three phase supervisory circuit for detecting fault conditions in an input AC signal power signal... a delay circuit for delaying initial operation of the sensing circuits for a predetermined period each time the supervisory circuit is powered on", as recited in independent claim 1. As admitted by the Examiner, the Holmquest patent does not explicitly disclose that the delay circuit "can act at the time of power-up". The Examiner contends that "both patents *have the same problem solving area*, namely providing three-phase power supervision and protection." [emphasis added] The Applicant disagrees that the Tran patent discloses a power monitoring circuit; however, the power monitoring circuit disclosed in the Tran patent is a **DC** power supply monitoring circuit and is therefore not concerned with three-phase power supervision and protection. Specifically, the Tran patent discloses in column 3, lines 30 – 34, "As is conventional, regulated power supply 13 converts AC power it receives into the various DC voltages necessary for

the operation of the system, and supplies these DC voltages to the power supply lines of power/control bus 12pc by way of power bus PBUS." As an example, the Tran patent discloses the monitored inputs as being "five inputs in power supply supervisor 15, namely +5IN, +12MIN, +12AIN, _5IN, and –12IN, corresponding to the +5 volt, +12 volt (main and auxiliary), -5 volt, and –12 volt power supply voltages generated by regulated power supply 13 (col. 4, lines 19 - 24). Thus, the two delays used for overvoltage and undervoltage disclosed in the Tran patent are limited to a DC power supply and not to the monitoring of a three phase signal as recited in independent claim 1. Therefore, neither the Tran patent or the Holmquest patent separately nor together teach or suggest the limitations of the invention recited in independent claim 1.

The applicant appreciates the courtesy of the interview the Examiner conducted with the undersigned on September 2, 2003. During the interview, the undersigned discussed the differences between the Tran patent and the Holmquest patent. The Examiner stated that a difference exists between using a DC input power monitoring circuit (Tran) and an AC input power monitoring circuit. The Examiner also indicated that he understands the phase concept of the present invention, and, as admitted by the Examiner, a DC signal does not have a phase. However, the Examiner stated that he is allowed to use any reference against the claims of the invention, but will consider the difference in his review of the response.

With reference to dependent claims 8 - 10, the Examiner admits that the Holmquest patent and the Tran patent do not disclose a plurality of ground fault interrupter receptacles, but feels this limitation is met by the Earle patent. As admitted by the Examiner, the circuit disclosed in the Earle patent is a "voltage measurement circuit for a GFCI". Specifically, the circuit disclosed in the Earle patent is a handheld voltage tester. Each GFCI would have to be tested individually by insertion of the voltage tester into the receptacle of the GFCI. Dependent claim 8 recites the limitation of "a contactor coil connected to said activation circuit and a plurality of ground fault circuit interrupter (GFCI) receptacles". This limitation is clearly taught or suggested by the inclusion of the Earle patent. In the Earle patent, the GFCIs are standalone

units and the voltage tester must be inserted by a user into individual receptacles of GFCI circuits.

The Applicant respectfully submits that the Holmquest patent, the Tran patent, and the Earle patent fail to teach or suggest the use of "A three phase supervisory circuit for detecting fault conditions in an input AC power signal... a delay circuit for delaying operation of said *sensing circuits* for a predetermined period of time" as recited in independent claim 17. Rather, the delay disclosed in the Holmquest patent refers to the delay of opening or closing a relay based on input parameters. For example, if the difference between an input parameter and a threshold value is small, the response time for closing the relay 23 is slow. However, if there is a large difference between the input parameter and the threshold value, the response time for closing relay 23 is short. This takes "care of momentary variations in voltage, frequency or phase (col. 1, lines 71 - 72). Thus, the delay disclosed in the Holmquest patent reduces false trips related to minor fluctuations in the input parameter by adjusting the response time for closing the relay 23.

In contrast, the delay recited in independent claim 17 does not delay the operation of a relay. Instead, the delay is used to delay the initial operation of the sensing circuits each time the supervisory circuit is powered on. This is quite different from the delay disclosed in the Holmquest patent.

Similarly, the delay disclosed in the Earle patent refers to "a delay circuit 110 that allows the display 108 to be maintained even after the plug 16 has been removed from the receptacle 22" (col. 6, lines 38 – 40). Specifically, the delay disclosed in the Earle patent allows a display to maintain a reading so that a user can still observe the reading after AC power is removed from the device. This is not related to delaying the initial operation of sensing circuits as recited in independent claim 17.

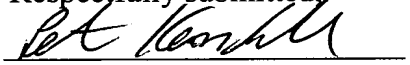
In addition, the delays disclosed in the Tran patent refer to a stabilization delay of a DC power supply and the initial powering delay of the DC power supply. The delays in the Tran patent do not refer to sensing circuits associated with the power supply monitoring circuit. Further, as stated above, the Tran patent has no sensing circuits as claimed, but instead is a DC device. Therefore, the invention disclosed in

the Tran patent is unlike the embodiment of the invention recited in independent claim 17.

Independent claim 12 contains limitations similar to those found in independent claim 1, and independent claim 18 contains limitations similar to those found in independent claim 17 and should also be found patentable. Dependent claims 2 - 11, and 13 – 1 6 depend either directly or indirectly from independent claims 1 or 12 and should also be found patentable.

In view of the foregoing, it is believed that the application, including claims 1-18, is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



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